



RECEIVED

JUL 17 2001

TECH CENTER 1600/2900

Docket No.: 0010-1075-0 PCT

1652

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

NORMAN F. OBLON
(703) 413-3000
NOBLON@OBLON.COM

Kirsten A. Grueneberg, Ph.D.
Registered Patent Agent
(703) 413-3000
KGrueneberg@OBLON.COM

RE: Application Serial No.: 09/462,472
Applicants: Hiroshi MATSUI, et al.
Filing Date: January 14, 2000
For: METHOD FOR PRODUCING PURINE
NUCLEOSIDE BY FERMENTATION
Group Art Unit: 1652
Examiner: C. FRONDA

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Attorney of Record
Registration No. 24,618



22850

Kirsten A. Grueneberg, Ph.D.
Registration No. 47,297

(703) 413-3000 (phone)
(703) 413-2220 (fax)

RECEIVED

JUL 17 2001

TELEFAX CENTER 1600/2900

DOCKET NO.: 0010-1075-0 PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Hiroshi MATSUI, et al. : GROUP ART UNIT: 1652

SERIAL NO.: 09/462,472 : EXAMINER: C. FRONDA

FILED: January 14, 2000 :

FOR: METHOD FOR PRODUCING PURINE NUCLEOSIDE BY FERMENTATION

#8
S.J.G.
7/18/01

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Responsive to the Official Action dated June 21, 2001, Applicants elect, with traverse, Group VII, Claim 13. In addition, Applicants elect with traverse, phosphoglucose isomerase as single disclosed species of an enzyme. Claims 1, 9, 10 and 13 read on the elected species.

REMARKS

The Office has required restriction in the present application as follows:

The Examiner has now indicated that the claims do not relate to a single general inventive concept and that they lack unity of invention. He is requiring an election of one of the following Groups:

Group I: Claims 1, drawn to a microorganism belonging to the genus *Escherichia* and having purine nucleoside-producing ability;

Group II: Claim 2, drawn to a microorganism belonging to the genus *Escherichia* which has acquired a purine nucleoside-producing ability because of an increase of an activity of an enzyme involved in purine nucleoside biosynthesis;

Group III: Claim 3, drawn to a microorganism belonging to the genus *Escherichia* which has acquired a purine nucleoside-producing ability because of an increase of an expression amount of a gene for an enzyme involved in purine nucleoside biosynthesis ;